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Sent: 06 January 2023
To: Ashley Ransome <a.ransome@welhat.gov.uk>
Cc: Ecology <Ecology@hertfordshire.gov.uk>
Subject: FW: 6/2022/2409/OUTLINE- Brookmans Park Golf Club

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Hi Ashley

The planning statement section 6.6.1 makes reference to a Stage 1 Ecological Appraisal and a reptile survey. These surveys are not included in the documents on the planning portal and so I cannot consider them presently. These documents should be submitted to allow their scrutiny by the LPA as well as to ensure their recommendations form part of the proposal. However the following ecological reports, which might or might not be the same documents, were submitted with a previous consultation (6/2017/1358/PA) for the paddock area and inform part of my response below.

- Phase 1 Habitat Survey (by STRI, 23 March 2015)
- Preliminary Ecological Appraisal (by Cherryfield, 24 Sept 2016)
- Reptile Survey (by Cherryfield, 4 May 2017)

The existing proposal will result in the loss of three middle mature trees, a sycamore (T1), an elm (T2), and oak (T3). As well as trees from 4 grouping of trees, this includes a horse chestnut from a grouping described as mature/veteran. The condition of all of these trees implies they have some damage which might provide roosting features and they should be assessed for their potential as bat roosts prior to removal. Since bats are European protected species this should be done prior to determination. Further information should be sought about the age status of the horse chestnut in the grouping assessed as mature/ veteran. If it is assessed as a veteran tree it should be considered irreplaceable in line with the NPPF and retained unless there are wholly exceptional reasons to justify its removal and a suitable compensation strategy exists.

With regards to the removal of trees to accommodate further housing. Available photographic imagery indicates that the trees to the north and west are broadleaved trees and likely to include native species. The trees are not within a Local Wildlife Site, statutory site or protected by

TPOs. Nevertheless their removal would result in a further biodiversity loss to the site in general and to the retained area of woodland specifically. Whilst no tree schedule for the retained trees has been submitted with this application a tree constraints plan submitted for a previous pre app is referenced within a Preliminary Ecological Appraisal submitted at the same time, this identifies the presence of Veteran Oak tree T36 in the northern block of trees. As above veteran trees should be considered irreplaceable and retained. The woodland to the west has already had some clearance and further removal would risk fragmenting this woodland band reducing its functional ecological value. The present application seems to have followed the mitigation hierarchy in seeking to avoid and minimise the impact on the existing trees. If further tree loss is proposed the LPA must be satisfied, in line with the NPPF, that this cannot be avoided. In which case further mitigation and compensation will be required.

The NPPF states that planning decisions should contribute to and enhance the natural and local environment by.. minimising impacts on and providing net gains for biodiversity. The provision of measures that deliver a biodiversity net gain should be set out in a **Landscape and Ecological Management Plan** and secured by **Condition**. If the LPA is seeking a measurable biodiversity net gain from this proposal, although the requirement for this as set out in the environment act is not yet mandatory, then a biodiversity metric calculation using the most up to date version of the calculation tool should also be submitted for assessment by the LPA. This should demonstrate that a sufficient biodiversity net gain can be achieved and that the metric trading rules have been met. Given the constraints of the site it is likely that a biodiversity net gain solution outside of the existing red line boundary will need to be sought. If measurable net gain is proposed or required then the Landscape and Ecological Management Plan will need to reference the location and size of the specific habitats and how these and the target conditions will be achieved, sustained and monitored. In the absence of the use of a metric, net gain proposals should be sufficient for the uplift to be apparent in the absence of any calculation and should include habitat creation and improvement not just ecological enhancements such as bat and bird boxes, though these can play their part.

In addition the following general measures should be followed but may need to be supplemented or adapted in line with the recommendations or findings of the ecological reports referenced in the planning statement.

- Existing trees (including the roots and overhanging branches) that are remaining on, or adjacent to, the site should be protected from damage. Protection barriers and/or a no-dig policy may be required.
- The removal or severe pruning of trees and shrubs should be avoided during the bird breeding season (March to August inclusive [Natural England]) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 3 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, the location should be cordoned off (minimum 5m buffer) until the end of the nesting season or work should cease until the birds have fledged.

- The removal of any trees should be compensated for with replacement planting of native tree species in suitable locations within the application site. New trees and shrubs should be predominantly native species, particularly those that bear blossom, fruit (berries) and nectar to support local wildlife; and night flowering plants to attract insects and increase foraging opportunities for bats. Where non-native species are used they should be beneficial to biodiversity, providing a food source or habitat for wildlife.
- Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.

I hope this is of assistance



Simon Richards

Ecological Advisor ,

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